

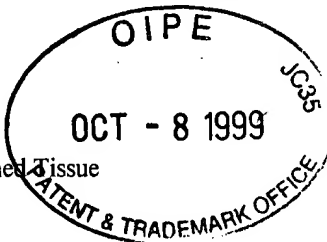
Attorney's Docket No. 1441-01204

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: S. Ward Casscells, III

Serial No.: 09/303,313  
Filed: April 30, 1999  
For: Heat Treatment of Inflamed Tissue



Group No.: Unknown  
Examiner: Unknown

Assistant Commissioner for Patents  
Washington D.C. 20231

ATTENTION: Director, Group \_\_\_\_\_

#4  
10/22

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 CFR 10.40(c))

NOTE: If a period has been set for response and the period may be extended without a showing of cause pursuant to 37 C.F.R. § 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. In such a situation, however, withdrawal will not be approved unless at least 30 days would remain between the date of approval and the last date on which such a petition for extension of time and fee could properly be filed. M.P.E.P. § 402.06, 6<sup>th</sup> ed., rev. 3.

John J. Love 10-31-99  
APPROVED  
John J. Love  
Director, Group 3700

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

RECEIVED

OCT 20 1999

I hereby certify that this correspondence is, on the date shown below, being:

TECHNOLOGY CENTER 3700

MAILING

FACSIMILE

☒ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

☐ transmitted by facsimile to the Patent and Trademark Office.

Date: October 5, 1999

Signature

M. A. CRABTREE  
(type or print name of person certifying)

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OCT 19 1999  
OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

RECEIVED  
OCT 14 1999  
OIPE/JCWS

## REQUEST FOR PERMISSION TO WITHDRAW

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 CFR 1.36.

*(complete the following item, if appropriate)*

☐

Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under

☐

37 CFR 1.60(b)

☐

37 CFR 1.62(c)

this withdrawal request is also for such continuing application.

## LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the:

☐

inventor(s)

☒

assignee of the entire interest

is Texas Heart Institute, Texas Medical Center, MC 3-117, P. O. Box 20345, Houston, Tx. 77225.

## BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 CFR 10.40(c)(1)(VI)

*Explanation (including brief description of exhibits, if any):*

Attorney of record respectfully requests permission to withdraw from further responsibility in this case in accordance with § 37 C.F.R. 1.36, with the basis for such request being § 37 C.F.R. 10.40(c)(1)(VI). Attorney of record was retained to assist in the prosecution of the above captioned patent application. On August 18, 1999, as shown in the attached letter, the employment of the undersigned attorneys in the present case was terminated by the client and the case was transferred to C. Steven McDaniel, who is of record in this case but no longer practices with the undersigned. To the best of the knowledge of the attorney of record, there is no outstanding office action with respect to the present case and, therefore, attorney of record respectfully requests permission to withdraw as attorney for Applicant.

### ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (if any)

- (i) ☒ There is no outstanding term for response
- (ii) ☐ There is an outstanding term for response which is set to expire on \_\_\_\_\_  
The above term is extendible under 37 CFR 1.136(a) until \_\_\_\_\_ and the fees for such extension  
☐ are  
☐ are not  
being submitted herewith.

*(Complete the following, if applicable)*

- (iii) ☐ Also submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. 1.136(a), is:

- ☐ at least \_\_\_\_\_ -  
☐ cannot be calculated because this case is/will now be awaiting action by the PTO.

### NOTIFICATION OF CLIENT

5. Because the client terminated representation by the undersigned, no further notice to the client is necessary.

A copy of the present request is being forwarded to the client concurrently herewith.

### NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

NOTE: "To expedite the handling of request for permission to withdraw as attorney under 37 CFR § 1.36, submit the request in triplicate (original and two copies..." Notice of September 3, 1985 (1058 O.G. 32).

7. Related Application for Which Withdrawal is Requested

Withdrawal also is (has) also been requested in the following related applications of the:

(check all applicable items)

- ☐ inventor  
☒ assignee  
☐ common representative

| <u>Application Number</u> | <u>Group</u> | <u>Status of Withdrawal Request</u> |
|---------------------------|--------------|-------------------------------------|
| _____                     | _____        | _____                               |
| _____                     | _____        | _____                               |
| _____                     | _____        | _____                               |
| _____                     | _____        | _____                               |

**REMAINING ATTORNEY OF RECORD**

8. The sole attorney remaining of record in this case is C. Steven McDaniel, Reg. No. 33,962. If this Petition is granted please change the correspondence address for the above-identified cases to:

C. Steven McDaniel  
P. O. Box 2244  
Austin, Texas 78768-2244

**SIGNATURE(S) OF WITHDRAWING ATTORNEY(S)**

*NOTE: Each attorney of record must sign the notice of withdrawal or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another. M.P.E.P. § 402.06, 6<sup>th</sup> ed., rev. 3.*

9. Signature of an authorized attorney on behalf of the attorneys withdrawing.

(List all the attorneys, and registration numbers, appearing on declaration or power, as appropriate. An authorized attorney signing on behalf of a withdrawing attorney should also show his or her registration number.)

David A. Rose 26,223  
Marcella D. Watkins 36,962  
Jeffrey W. Tayon 30,717  
Leslie V. Payne 38,267  
Michael F. Heim 32,702  
Shawn Hunter 36,168  
Gregory L. Maag 32,363  
Eric B. Meyertons 34,876

Kevin L. Daffer 34,146  
Bruce Noel Kivlin 33,929  
E. Randall Smith 38,307



SIGNATURE OF AUTHORIZED ATTORNEY ON  
BEHALF OF ALL ATTORNEYS WITHDRAWING  
MARCELLA D. WATKINS

Reg. No. 36,962  
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